

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION**

Maurice S. Pegg,

Petitioner,

v.

Case No. 1:09cv100

Ohio Parole Board, *et al.*,

Judge Michael R. Barrett

Respondents.

**ORDER**

This matter is before the Court on the Report and Recommendation filed by the Magistrate Judge on February 1, 2010 (Doc. 37).

Proper notice has been given to the parties under 28 U.S.C. § 636(b)(1)(C), including notice that the parties would waive further appeal if they failed to file objections to the Report and Recommendation in a timely manner. See United States v. Walters, 638 F.2d 947 (6th Cir. 1981). No objections to the Magistrate Judge's Report and Recommendation have been filed.

Having reviewed this matter de novo pursuant to 28 U.S.C. 636, this Court finds the Magistrate Judge's Report and Recommendation to be correct.

Accordingly, it is **ORDERED** that the Report and Recommendation of the Magistrate Judge is hereby **ADOPTED**. Respondent's Motion to Dismiss (Doc. 15), Motion for Mandamus and Discharge of Prisoner (Doc. 17), Motion for Protective Order (Doc. 25), Motions Asking this Court for Release from Custody (Docs. 27 and 35), Motion to Enter Rule 57 Judgment (Doc. 28), and Motions to Amend (Docs. 31 and 32) are denied as moot. Respondent's Motion to Dismiss (Doc. 21) is granted, in part, and denied, in part, consistent with the opinion of the Magistrate Judge transferring this matter to the

Sixth Circuit for review and determination whether to grant the Petitioner authorization to entertain a successive petition.

**IT IS SO ORDERED.**

*s/Michael R. Barrett*  
UNITED STATES DISTRICT JUDGE